

MEGAN O'NEILL SBN: 220147
WILLENKEN WILSON LOH & DELGADO LLP
2 EMBARCADERO CENTER, 8TH FLOOR
SAN FRANCISCO, CA 94111
(415) 830-5740

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

THE PROCTER, ET AL.

v.

QUANTIFICARE, INC.

CASE NUMBER:
3:17-CV-03061 LHK

PROOF OF SERVICE
SUMMONS AND COMPLAINT
(Use separate proof of service for each person/party served)

1. At the time of service I was at least 18 years of age and not a party to this action and I served copies of the (specify documents):

- a. ☒ summons ☐ first amended complaint ☐ third party complaint
☒ complaint ☐ second amended complaint ☐ counter claim
☐ alias summons ☐ third amended complaint ☐ cross claim
☒ other (specify): SEE ATTACHED LIST OF DOCUMENTS

2. Person served:

- a. ☒ Defendant (name:) QUANTIFICARE INC.
b. ☐ Other (specify name and title or relationship to the party/business named):
c. ☒ Address where the papers were served: 4020 OLD MILTON PARKWAY, SUITE 210
ALPHARETTA, GA 30005

3. Manner of Service in compliance with (the appropriate box must be checked):

- a. ☒ Federal Rules of Civil Procedure
b. ☐ California Code of Civil Procedure

4. I served the person named in Item 2:

- a. ☐ By Personal Service. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least twelve (12) years of age.
1. ☐ Papers were served on (date): at (time):
b. ☒ By Substituted Service. By leaving copies: DEBBIE MONROE - ACCOUNTING ADMINISTRATOR
1. ☐ (home) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.
2. ☒ (business) or a person apparently in charge of the office, or place of business, at least 18 years of age, who was informed of the general nature of the papers.
3. ☒ Papers were served on (date): 06/12/2017 at (time): 03:10 pm
4. ☐ by mailing (by first-class mail, postage prepaid) copies to the person served in Item 2(b) at the place where the copies were left in Item 2(c).
5. ☒ papers were mailed on Jun 13, 2017 - DECLARATION OF MAILING ATTACHED
6. ☐ due diligence. I made at least three (3) attempts to personally serve the defendant.
c. ☐ Mail and acknowledgment of service. By mailing (by first-class mail or airmail, postage prepaid) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid addressed to the sender. (Attach completed Waiver of Service of summons and Complaint).

DOCUMENT LIST

1. Summons
2. Complaint
3. Civil Cover Sheet
4. Plaintiff The Procter & Gamble Company's Certification of Interested Entities or Persons Pursuant to Civil L.R. 3-15 and Fed. R. Civ. P. 7.1
5. Plaintiff Canfield Scientific, Incorporated's Certification of Interested Entities or Persons Pursuant to Civil L.R. 3-15 and Fed. R. Civ. P. 7.1
6. Order Setting Initial Case Management Conference and ADR Deadlines
7. Report on the Filing or Determination of an Action Regarding a Patent or Trademark
8. Notice of Assignment of Case to a United States Magistrate Judge for Trial
9. Consenting to the Jurisdiction of a Magistrate Judge Brochure
10. Consent or Declination to Magistrate Judge Jurisdiction
11. Order Reassigning Case
12. Notice of Eligibility for Video Recording
13. Clerk's Notice Following Case Reassignment to the Honorable Lucy H. Koh
14. Guidelines for Final Pretrial Conferences in Jury Trials Before District Judge Lucy H. Koh
15. Guidelines for Settlement Conference Before District Judge Lucy H. Koh
16. Standing Order Regarding Case Management in Civil Cases
17. Standing Order for All Judges of the Northern District of California
18. Filing Procedures (San Jose)
19. ECF Registration Information Handout

- d. ☐ **Service on domestic corporation, unincorporated association (including partnership), or public entity.** (F.R.Civ.P. 4(h)) (C.C.P. 416.10) By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, by also mailing, by first-class mail, postage prepaid, a copy to the defendant.
- e. ☐ **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity.** (C.C.P. 415.20 only) By leaving during usual business hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing (by first-class mail, postage prepaid) copies of the persons at the place where the copies were left in full compliance with C.C.P. 415.20 Substitute service upon the California Secretary of State requires a court order. (Attach a copy of the order to this Proof of Service.)
- f. ☐ **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f)
- g. ☐ **Certified or registered mail service.** By mailing to an address outside California (by first-class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or other evidence of actual receipt by the person served).
- h. ☐ **Other** (specify code section and type of service):
5. Service upon the **United States, and Its Agencies, Corporations or Officers.**
- a. ☐ by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.
- Name of person served:
- Title of person served:
- Date and time of service: (date): at (time):
- b. ☐ By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. (Attach signed return receipt or other evidence of actual receipt by the person served).
- c. ☐ By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation (Attach signed return receipt or other evidence of actual receipt by the person served).

6. At the time of service I was at least 18 years of age and not a party to this action.

7. Person serving (name, address and telephone number):



JOSH SWANSON (Georgia Process Server)
Nationwide Legal, LLC (12-234648)
1609 James M. Wood Blvd., 2nd Fl
Los Angeles, CA 90015
(213) 249-9999

a. Fee for service: \$.00

b. ☒ Not a registered California process server

c. ☐ Exempt from registration under B&P 22350(b)

d. ☐ Registered California process server

Registration # :

County:

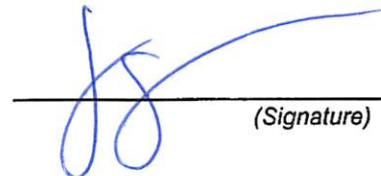
8. ☐ I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Date: June 14, 2017

JOSH SWANSON (Georgia Process Server)

Type or Print Server's Name


(Signature)

PROOF OF SERVICE - SUMMONS AND COMPLAINT

Attorney or Party without Attorney: MEGAN O'NEILL, SBN: 220147 WILLENKEN WILSON LOH & DELGADO LLP 2 EMBARCADERO CENTER, 8TH FLOOR SAN FRANCISCO, CA 94111 TELEPHONE No.: (415) 830-5740 Attorney for: Plaintiff				FOR COURT USE ONLY	
FAX No. (Optional):				E-MAIL ADDRESS (Optional):	
Ref No. or File No.: PROCTER V QUANFIFICARE					
Insert name of Court, and Judicial District and Branch Court: UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION					
Plaintiff: THE PROCTER, ET AL. Defendant: QUANTIFICARE, INC.					
PROOF OF SERVICE BY MAIL		HEARING DATE:	TIME:	DEPT.:	CASE NUMBER: 3:17-CV-03061 LHK

1. I am over the age of 18 and not a party to this action. I am employed in the county where the mailing occurred.
2. I served copies of the summons; complaint; SEE ATTACHED LIST OF DOCUMENTS
3. By placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at SANTA ANA, California, addressed as follows:

a. Date of Mailing: June 13, 2017
 b. Place of Mailing: SANTA ANA, California
 c. Addressed as follows: QUANTIFICARE INC.
 4020 OLD MILTON PARKWAY, SUITE 210
 ALPHARETTA, GA 30005

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid at SANTA ANA, California in the ordinary course of business.

Fee for Service:



Nationwide Legal, LLC (12-234648)
 1609 James M. Wood Blvd., 2nd Fl
 Los Angeles, CA 90015
 (213) 249-9999
 www.nationwideasap.com

I declare under penalty of perjury under the laws of the
 The United States that the foregoing information
 contained in the return of service and statement of
 service fees is true and correct and that this declaration
 was executed on June 14, 2017.

Signature: _____
 ANGELA MARTIROSYAN

PROOF OF SERVICE BY MAIL

Order#: 977955VU/mailproof